

Report To:	CABINET	Date:	27TH JANUARY 2020
Heading:	TEMPORARY ACCOMMODATION POLICY		
Portfolio Holder:	CLLR KIER BARSBY, PORTFOLIO HOLDER FOR HOUSING		
Ward/s:	ALL		
Key Decision:	YES		
Subject to Call-In:	YES		

Purpose of Report

To advise Members of the Council's obligation to produce and maintain a Policy relating to how units of temporary accommodation for homeless households are procured and let and to seek approval of said Policy.

Recommendation(s)

To approve the Temporary Accommodation Policy attached at Appendix A.

Reasons for Recommendation(s)

A Supreme Court ruling in 2015 made a number of recommendations to local authorities in respect of temporary accommodation provided for homeless households.

In light of the ruling there is an expectation that local authorities will have policies in place that set out how temporary accommodation is procured and let.

Such policies will be of benefit to both officers and those households who are being placed in temporary accommodation.

The homelessness service returned in-house in July 2019, when the need for an ADC Policy was identified.

Alternative Options Considered

Not to introduce a Temporary Accommodation Policy. This was rejected as the Supreme Court ruling established a need for local authorities to produce and publish such policies.

To have separate policies relating to procuring and letting Temporary Accommodation. This was rejected as the 2 elements overlap and it makes sense to combine them in a single document.

Detailed Information

The Council is duty bound to provide temporary accommodation to eligible households who are homeless and who the Council believes may have a priority need. The accommodation is short-term, whilst the Council investigates and seeks to relieve the occupant's homelessness.

Whilst in temporary accommodation there is an expectation the occupant will pay rent and service charges, adhere to the licence conditions and work with the Housing Options Team on a long term solution to their needs.

The units of temporary accommodation come from the Council's housing stock, 30 properties are used for this purpose, equating to approximately 0.4% of the Council's stock. The units are located throughout the District and are of differing property types and sizes to reflect the needs of those accessing the service.

The procedures and processes in respect of temporary accommodation are well-established and effective. Elements of the processes and procedures have been in the public domain but the bulk of them have been for internal use.

In April 2015 a Supreme Court ruling in respect of placing homeless households in temporary accommodation out of the area (*Nzolameso vs Westminster City Council [2015] UKSC 22*) included a number of recommendations, some of which were immediate steps local authorities should take, others more long term requirements. The latter included the need to;

- Produce and keep up to date a publically available policy for procuring sufficient units of temporary accommodation to meet the anticipated demand during the coming 12 months.
- Produce and keep up to date a publically available policy for allocating temporary accommodation units, which would be used to explain the individual factors that have been taken into account when offering such accommodation to households.

The above policies were deemed to have the advantage of:

- Guiding temporary accommodation letting teams in their daily business, and helping ensure that the right accommodation is procured for a household.
- Informing homeless households, and their supporting agencies of local housing pressures and what to expect from an offer of temporary accommodation.
- Assisting reviewing officers in ensuring that policies were applied correctly to an individual case.
- Assisting both homeless households and local authorities in disputes around the offer of temporary accommodation.

Although not a legal requirement as such, in light of the ruling it is deemed good practice to have the above policies in place and the Council could be criticised if it was subject to legal action and they were absent.

The Temporary Accommodation Policy, attached at Appendix A, sets out the Council's approach to procuring and letting temporary accommodation, including matters such as the standard and suitability of temporary accommodation. The Policy adheres to the requirements of the Supreme Court ruling and will prove a good guide to those households who find themselves in need of temporary accommodation.

Implications

Corporate Plan:

The Policy helps achieve the following Corporate Plan priority;

Enhance Ashfield's homelessness service to meet the needs of residents within the district through delivery of the homelessness and rough sleeping strategy.

Legal:

Relevant legislation and case law are detailed in the report and in the draft policy.

Finance:

Budget Area	Implication
General Fund – Revenue Budget	No direct financial implications
General Fund – Capital Programme	No direct financial implications
Housing Revenue Account – Revenue Budget	No direct financial implications
Housing Revenue Account – Capital Programme	No direct financial implications

Risk:

Risk	Mitigation
The Council being unable to meet the promises made in the Policy in respect of procurement and letting.	<p>In respect of procurement, the Council can increase, decrease or change the number of temporary accommodation units quickly and easily as these are obtained from the housing stock.</p> <p>In respect of letting, the placing of households and the management of occupants in temporary accommodation is monitored on a daily basis. There is sufficient flexibility in respect of units and their availability to meet the needs of most households within a reasonable period of time.</p>

Human Resources:

No human resources implications

Equalities:

There are no equality issues resulting from this Policy. The Policy reflects existing practices and prioritises the needs of families, older and vulnerable applicants.

Groups with protected characteristics such as pregnancy, (old) age, disability, sex (women), are disproportionately affected by homelessness and therefore more likely to access temporary accommodation. The policy takes into account their needs such as meeting needs of families/children regarding schooling, adapted properties and being close to support.

Other Implications:

None

Reason(s) for Urgency

N/A

Reason(s) for Exemption

N/A

Background Papers**Report Author and Contact Officer**

Phil Warrington

Service Manager – Strategic Housing & Lettings

p.warrington@ashfield.gov.uk

01623 608893

Service Director

Paul Parkinson

DIRECTOR OF HOUSING AND ASSETS

p.parkinson@ashfield.gov.uk

01623 457891